

AG
concluded

shaped clamp lying between said two ends lies generally in and defines a clamp plane, and wherein the tabs extending from said two ends do not lie generally in said clamp plane.

II. REMARKS

5 A. Introductory Statement

Amendments have been made to the specification and the claims. The bases for objection/rejection cited by the Examiner are set forth or summarized in section "B" below with discussion and explanation of how the aforesaid amendments overcome the
10 objections/rejections of the Examiner; and/or why said objections/rejections should, otherwise, be reconsidered. Re-examination and reconsideration of the application, as amended, is requested.

15 B. Discussion of Bases for Objection/Rejection

The Examiner has rejected all claims submitted: (1) rejecting
15 claim 1 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,639,654 ("Braxton et al."); (2) rejecting claims 2, 4, 6, 9, 11, and 13 under 35 U.S.C. §103 as being rendered obvious over Braxton et al. in view of U.S. Patent Nos. 1,289,450 ("Holaday"),
20 1,713,735 ("Benson"), and/or 1,949,618 ("Mollberg"); and (3) rejecting claims 2, 4 and 9, as being unclear under 35 U.S.C. §112. The specific language of each such rejection is set forth and
discussed in the like numbered sections below.

25 1. Rejection Under 35 U.S.C. §102(b)

a. Described Basis for Rejection

The Examiner has rejected claim 1 under 35 U.S.C. §102(b),
stating:

1. The following is a quotation of the
appropriate paragraphs of 35 U.S.C. §102 that form the
basis for the rejections under this section made in this
Office action:

A person shall be entitled to patent unless --
(b) the invention was patented or described in
a printed publication in this or a foreign
country or in public use or on sale in this
country, more than one year prior to the date
of application for patent in the United
States.

2. Claim 1 is rejected under 35 U.S.C. 102(b)
as being anticipated by Braxton et al. Braxton et al.
disclose an electrical connection apparatus (Fig. 2) for
automotive type batteries, comprising:

a/ an electrical cable having one end (26)
that branches to form two terminal connection
ends; and

b/ terminal connection means (18) located at
each of said two terminal connection ends.

b. Applicant's Resolution of the Rejection

The Applicant does not accede to the basis for rejection
stated. However, he has deleted claim 1, incorporating its
elements into dependent claim 2. The rejection has, therefore,
been superseded by the claim amendments set forth above.

2. Rejection Under 35 U.S.C. §103

a. Described Basis for Rejection

The Examiner has rejected the remaining claims under 35 U.S.C.
103(b). The bases of each such rejection is set forth in the
subparagraphs (i) - (iii) that follow:

(i) With regard to claims 2 and 9, the Examiner has
stated:

3. The following is a quotation of 35 U.S.C.
§103 which forms the basis for all obviousness rejections
set forth in this Office Action:

A patent may not be obtained though the
invention is not identically disclosed or
described as set forth in section 102 of this
title, if the differences between the subject
matter sought to be patented and the prior art
are such that the subject matter as a whole
would have been obvious at the time the
invention was made to a person having ordinary
skill in the art to which said subject matter
pertains. Patentability shall not be
negated by the manner in which the invention
was made.

4. Claims 2 and 9, are rejected under 35
U.S.C. 103(a) as being unpatentable over Braxton et al.
in view of Benson, and further in view of Holaday. The
Braxton et al. apparatus does not utilize terminal in
form of C-shaped claim wherein a bolt element usually is
used. Benson (FIG. 1) teaches a C-shaped clamp having a
bolt (20). It would have been obvious to one having
ordinary skill in the art at the time the invention was
made to utilize the C-shaped clamp as one of the terminal
connection means in Braxton et al. apparatus, as taught
by Benson, to use the apparatus with batteries having top
and side terminals. With regard to claims 2 and 9,
Braxton et al when modified by Benson (which is necessary
to use a claimed bolt) disclose all of the limitations
except for a bolt element having:

a/ a cylindrical screw threaded portion, the
central axis of said cylindrical screw
defining a first axis;

b/ an expanded head portion provided with at
least one cylindrical perforation [and]

Holaday teaches a bolt element (Fig. 3), having:

a cylindrical screw threaded portion, the
central axis of said cylindrical screw
defining a first axis;

an expanded head portion (2) provided with at
least one cylindrical perforation (7).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the Braxton apparatus modified by Benson with the bolt element comprising the cylindrical screw threaded portion and the expanded head portion, as taught by Holaday, to use it in the bolt element with a C-shaped clamp.

(ii) With regard to claims 4 and 11, the Examiner has

stated:

5. Claim 4 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Braxton et al. in view of Benson and Holaday as applied to claim 2 above, and further in view of Mollberg. Braxton et al. when modified by Benson and Holaday disclose all of the limitations except the expanded head portion is flat, said flat expanded head portion lying in and defining a first plane, and the first axis lies in said first plane. Mollberg teaches (Fig. 3) the expanded head portion (2) is flat and said flat expanded head portion lying in and defining a first plane, and the first axis lies in said first plane. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the Holaday's bolt element with the flat extended head portion, as taught by Mollberg, to simplify manufacturing the bolt element.

(iii) With regard to claims 6 and 13, the Examiner has

stated:

6. Claims 6 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Braxton et al. in view of Benson, and further in view of Holaday, as applied to claim 2 above. Braxton et al. when modified by Benson and Holaday disclose all of the limitations. Particularly Benson (Fig. 1) disclose an electrical connection apparatus wherein one of the terminal connection means is comprised of a C-shaped clamp (10), which shape defines two ends, each of said two ends (11, 12) having tabs (15, 18) extending therefrom, one of said tabs (15) having a blank perforation and the other said tab (18) having a screw threaded portion such that the screw threaded portion (22) can first be inserted through the blank perforation, then threaded through the screw threaded perforations, and so serve to draw said tabs together, tightening said C-shaped clamp.

b. Applicant's Resolution of the Rejections

The Applicant does not accede to the rejections stated. He has, however, amended base claims 2 and 9, by adding an additional element thereto. This completely novel additional element, which is shown in the drawing figures as base disc 9, is not seen in any of the art cited. The obviousness comparisons must, therefore, fail.

The Applicant has replaced "flat expanded head portion" with "at least one flat wing" in claims 4 and 11 in order to be more consistent with the specification. (See, specification at p. 6, lines 2-4 and p. 7, line 1). The Applicant has also removed specific dimensions (and the shape-"cylindrical"-of perforation 6C) from claims 2 and 9 as being unnecessary limitations for use in these base claims (particularly in view of the art cited and the inclusion of an additional limitation in said base claims). New claims 19 through 24, which are dependent on allowable claims 2 through 13, incorporate the aforesaid features as additional limitations. In addition, new claims 25, 26, 27 and 28 incorporate elevated tabs (as shown in FIG. 2) as an additional limitation on allowable claims 6, 13, 21 and 24. These new claims are based on features illustrated in the drawings or described in the specification and/or claims. They do not add new matter, they merely serve to "flesh out" the claims and seek to utilize more (18) of the full number (20) of claims allowed to Applicant.

3. Rejection Under 35 U.S.C. 112

The Examiner has rejected claims 2 and 9 on the basis of certain language therein which he deems unclear. The Applicant

does not accede to the basis for rejection stated. However, the language has been eliminated as unnecessary. The basis for rejection has, therefore, been superseded.

CONCLUSION

5 In view of the foregoing amendments and remarks, it is submitted that the application as amended is in condition for allowance. Reconsideration of the rejections and/or objections thereto is hereby requested.

Respectfully submitted,

10 

15 Steven R. Scott
Florida Bar No. 310158
Patent Atty. Reg. No. 32,000
949 County Road 217
Jacksonville, FL 32234
(904) 289-8761